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ABSTRACT

Several educational issues that are currently in the spotlight are discussed in this publication. They include: school desegregation, pregnant girls, teenage mothers, discipline, children with special needs, sex discrimination and Title IX, Title I -- Compensatory Education, privacy and the right to records, and racism and sexism in text materials. Background information for each problem discussed is included; for instance, a desegregation update includes a discussion on the courts and metropolitan desegregation, including the Boston experience. Sex discrimination and Title IX focuses on the coverage provided by the legislation and addresses issues such as admissions, employment, athletics, physical education classes, financial aid, vocational education and counseling. Compensatory education provides information on how the program works, funds distribution, and parent advisory councils. The section on privacy and the rights to records addresses issues such as the law and its requirements, its implementation, and the importance of the Buckley amendment. Each section also contains information on congressional action and relevant court decisions, and on laws and regulations. Specific suggestions for citizen involvement are also offered. (Author/AM)

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EDUCATION: PROBLEMS IN EQUITY

Public school education is going through a period of change and challenge. Costs are going up while reading scores seem to be going down. Students and teachers are making demands for more equitable treatment, and the public is asking for more accountability. The rights of women and minorities to equal educational opportunities mandated by the courts and new legislation require changes in school practices and assignments.

The interest in the quality and survival of the public schools is high; however, many people feel frustrated and unable to find solutions to what appears to be an unending stream of problems in the educational institutions across the nation. While there is no one easy cure to education's current ills, there are many ways that interested citizens can help to make it work better. This publication will discuss several education issues that are currently in the spotlight and give background information and specific suggestions for citizen involvement.

Update on school desegregation

Since the historic decision of *Brown v. Board of Education* (1954) school desegregation activity has gradually shifted from the South, where state segregation laws were in force, to the North. Current national opinion polls show that Americans are for integration but against "forced" busing to achieve it. Some civil rights advocates equate antibusing stands with racism but opponents of "forced" busing claim that racism and integration are separate issues. Since 1954 the courts have steadfastly built upon *Brown* in prescribing remedies to dismantle dual school systems. The road to integration has been uneven, but despite delays, setbacks and controversy the nation's schools are being desegregated.

The dismantling of dual school systems did not happen immediately after the 1954 *Brown* decision, nor did school boards move swiftly even after the Supreme Court said in *Brown II* (1955) that the transition from segregated to desegregated schools should be made with "all deliberate speed." Delaying tactics were used by school boards for the next decade. As a result, by 1963-64 only 1.2 percent of black students in the eleven southern states attended schools with whites.

Desegregation was given a boost in 1964 with passage of the Civil Rights Act of 1964. Title VI of the Act says no school district that discriminates on the basis of race, color or national origin in any program or activity can receive federal funds. It further provides for administrative enforcement remedies in cases where the Department of Health Education and Welfare (HEW) is unable to secure voluntary compliance by school districts. The ultimate weapon is the termination of federal funds.

Between 1964 and 1968, the principal mechanism used by school districts to desegregate their schools either voluntarily or pursuant to court orders was freedom-of-choice. The use of freedom-of-choice plans, however, resulted in only minimal desegregation of predominantly white schools, while black schools remained virtually unaffected. The burden of desegregation fell primarily upon the black community.

In 1968, HEW sent a memorandum to state officials directing school districts to adopt school desegregation plans where reliance on freedom-of-choice had perpetuated dual school systems. These directives were subsequently reinforced by the Supreme Court's decision in *Green v. School Board of New Kent County* (1968). The court directed the New Kent County school board "to formulate a new plan . . . to convert promptly to a system without a 'white' school and a 'Negro' school, but just schools."

When administrations changed in 1969, the Departments of Justice and HEW announced a change in policy regarding administrative enforcement under Title VI. Rather than using enforcement proceedings to secure compliance with Title VI, they shifted emphasis to litigation. Rulings of noncompliance in proceedings already underway did not result in termination of federal funds. The dismantling of dual school systems, once impeded by the delaying tactics of southern school districts, was held back by HEW's failure to carry out its Title VI compliance and enforcement responsibilities. Concurrent with HEW's slowdown in implementing Title VI were the public statements focusing on the desirability of maintaining neighborhood schools made by Pres dent Nixon.

Predictably, a legal challenge was made to HEW's slowdown in Title VI enforcement. In 1973 plaintiffs in *Adams v. Richardson* alleged that HEW had defaulted in its administration of Title VI. The district court agreed and held that HEW had an obligation to initiate enforcement proceedings once negotiation and conciliation had not achieved compliance. HEW was subsequently ordered to carry out its obligations with respect to several hundred southern school districts. Two years later, the district court found that HEW was still doing no more than soliciting voluntary desegregation plans. Further, the court found that aside from school districts named in the 1973 order, HEW had not initiated a single administrative enforcement proceeding.

Congressional action

Congress has made repeated attempts to slow down desegregation. The purpose of the majority of the desegregation related bills has been to curtail the use of busing. The Scott-Mansfield amendment formed the basis for antibusing provisions in the education amendments enacted in 1972.

In March 1972, President Nixon proposed two bills to limit busing for racial balance, the Equal Educational Opportunities Act and the Student Transportation Moratorium Act. Neither of these bills passed; however, a modified version of the Equal Education Opportunities Act of 1972 with watered-down antibusing provisions was incorporated in Title II of the Education Amendments of 1974.

The attack on busing was repeated in 1975. This time alarm spread through the civil rights community because the traditional northern liberal opponents to antibusing legislation withdrew their opposition. On September 17, Senator Joseph Biden (D-Delaware), a long-time proponent of school desegregation, introduced an antibusing amendment to the $36 million 1976 HEW-Labor appropriations bill under consideration. This amendment would have prohibited HEW from withholding funds from any school district in order to get it "to assign teachers or students to schools, classes or courses for reasons of race." HEW criticized Biden's amendment because it would have prevented the use of school or classroom desegregation remedies other than busing. Biden introduced a second amendment in order to clarify his first which he said was intended to affect forced busing only. Although both of his amendments passed the Senate, neither was adopted by the conference committee.

Observers noted that this antibusing fight was the most intensive antibusing campaign ever waged in the Senate. The fact that of the 14 senators supporting Biden's first amendment, 10 have voted against such antibusing amendments in the past, indicates that the resistance to busing as a school desegregation remedy is growing.

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current focus

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The courts and metropolitan desegregation

Eventually, metropolitan school desegregation plans may be implemented to overcome segregation in predominantly black central cities ringed by predominantly white suburbs, but to date the courts have limited the applicability of desegregation plans to the confines of central cities. Two cases of note in which the issue of metropolitan desegregation was raised are *Bradley* v. *School Board of Richmond* and *Milliken* v. *Bradley*.

Richmond: In *Bradley* (1972), federal district court judge Robert R. Merhige found that de jure segregation existed in Richmond's public schools. To end segregation, he ordered the merger of Richmond's school system, whose student enrollment was over 70 percent black, with those of the surrounding Henrico and Chesterfield counties, whose student enrollments were over 90 percent white. Merhige found consolidation to be "a first, reasonable and feasible step toward the eradication of the effects of the past unlawful discrimination." His order would have created a metropolitan school system with the percentage of blacks in each school ranging between 20 and 40 percent. Although 78,000 students would have been bused in the process, this represented an increase in busing of only 13 percent. Merhige's far-reaching decision was overruled by the Fourth Circuit Court of Appeals. The court of appeals did not find the racial composition of schools in Richmond and the contiguous counties to be a result of state action, and, therefore, concluded that no constitutional violation had occurred. The Supreme Court subsequently split 4-4 on *Bradley*, thus the court of appeals' decision stands.

Detroit: In 1970, the Detroit school board adopted a voluntary desegregation plan to partially desegregate its high schools. The plan, however, was subsequently rescinded and the NAACP, et. al., filed suit in *Milliken* v. *Bradley*, alleging that racial segregation existed in Detroit's schools as a result of official state actions and policies. In 1973, a federal district court found that de jure segregation did exist and ordered the board of education to submit desegregation plans for the city and the state to submit desegregation plans for a three-county area encompassing 85 school districts. The district court judge designated 53 suburban districts to be included in a metropolitan desegregation plan. The court of appeals upheld the district court, but the U.S. Supreme Court did not. In its 5-4 1974 decision, the Supreme Court concluded that there was no evidence that acts of the outlying districts caused the discrimination found to exist in the Detroit schools. Although some observers might stop short of saying that interdistrict busing is dead forever, in view of the Supreme Court's decision it is not likely that metropolitan school desegregation plans will be implemented in the very near future.

School desegregation and white flight

How many white students flee public school systems as a result of desegregation? This is an emerging issue, one certain to be debated considerably years hence and one which has already stirred up great controversy in the social science community.

Loss of whites: James S. Coleman raised the question in his analysis of *Trends in School Segregation 1968-1972*, a study he and others conducted and released in 1975: "Is the loss of whites from the central city schools accelerated when substantial desegregation takes place?" He found that the average loss of whites present at the beginning of the year desegregation took place was 5.6 percent in the 21 largest districts and 3.7 percent in the next 46 largest districts. He concluded that the emerging problem is one of segregation between city and suburbs and that the current means by which schools are being desegregated are intensifying rather than reducing the problem. The emerging problem of increased segregation in central cities is brought about by a loss of whites. The loss proceeds at a relatively rapid rate when the proportion of blacks in central cities is high and the proportion of whites in the suburbs is high.

Controversy: Following the release of this study, a plethora of articles on Coleman's research and his anti-court-ordered busing views were published. The essence of Coleman's remarks was that current desegregation plans are self-defeating since they led to a re-segregation of metropolitan areas. Because Coleman's 1966 report, *Equality of Educational Opportunity* had been used extensively by prointegrationists to support their fight for school desegregation, Coleman's research and opinions were given a lot of weight; they were also viewed with alarm by school desegregation proponents.

The confusion between Coleman's research and his personal views on court ordered busing was expressed by Thomas Pettigrew and Robert Green in their "Reply to Coleman": "Throughout the furor there has been a confusion between his limited research and his sweeping views against court-ordered desegregation . . . the connection between Coleman's views and Coleman's research is tenuous at best and quite conflicting." Pettigrew and Green, like many other social scientists, were concerned about the ethics involved: "Every social scientist, like any other citizen, has a right to express his full political views on any subject without the support of research results. Ethical problems arise . . . when the social scientist's views are put forward not as political opinions at all but as a results of his own extensive scientific investigation, as 'new insights from recent research'."

Pettigrew and Green noted that other studies using comparable data did not show the same significant cause-effect relationship between desegregation and white flight that Coleman's study had. Reynolds Farley's study did show a relationship between the two, but it indicated that whites leave cities for other reasons. As he stated, "We have shown that cities whose schools were integrated between 1967 and 1972 did not lose white students at a higher rate than cities whose schools remained segregated."

Sorting out the specific factors and measuring the degree to which they cause the outmigration of whites is a difficult, complex process, but one which deserves serious study. Gary Orfield noted in a 1975 report that the factors influencing outmigration are many and diverse: availability of federal subsidies for housing, decline in the level of central city services, movement of jobs to suburban areas, major urban riots and fear of violence are among the contributing factors. These factors alone would be influential enough to prompt a family that is able to move to do so and the adoption of a school desegregation plan might give that family the added impetus. Not only whites are fleeing. Research indicates that black middle-income families are increasingly moving to suburban areas. Central city black school enrollments are stabilizing and declining in some instances. Between 1970 and 1974, Washington D.C. lost five percent of its black population, while the black population of the surrounding suburbs increased 61 percent during the same time. As Orfield noted, the most conclusive statement that can be made about the Coleman report and the relationship between desegregation and white flight is that available studies indicate that school desegregation, in itself, does not cause substantial white flight.

School desegregation is working

Statistics don't appeal to the emotions the way that rhetoric does, yet it is necessary to cite them to put the hue and cry about massive forced busing into perspective. In a 1975 report, the U.S. Commission on Civil Rights noted that less than four percent of the busing of school children can be attributed to school desegregation. In 1972, less than one percent of the increase in bus transportation was due to desegregation. While 43.5 percent of all school children ride buses to school, only 3.7 percent of all educational expenditures are allocated for transportation and less than one percent of the increase in busing costs is due to desegregation.

The Supreme Court decided in *Swann* v. *Charlotte-Mecklenberg Board of Education* (1971) that the use of busing was an acceptable remedy to desegregate schools. This was the first time that the Court considered the *type* of remedial action needed to create a unitary school system. Unfortunately, the furor over busing, together with the debate over school desegregation and white flight, lack of affirmative national support and congressional actions taken to curb its use, have obscured the reality that school desegregation plans, with and without busing, are being implemented successfully.

Common problems: Since 1972, the U.S. Commission on Civil Rights has investigated the school desegregation operations of 19 communities to "identify problems which recur in school districts undergoing desegregation and to describe how they have been met." Some of the communities were under court orders to desegregate, others were implementing HEW plans, still others were desegregating voluntarily. These communities were located in urban, rural and suburban areas, north and south. In all of its investigations, the commission has found that the transition is "almost never a totally smooth one. Mistakes frequently are made, petty incidents can throw an anxious community into confusion and schools that seem to have turned the corner toward total success suffer serious setbacks." Teacher adjustment, displacement of black officials, resegregation of students within schools by ability grouping, real or imagined

unfairness in student discipline, and community anxiety were problems common to several communities. Among the cast of players, students created the fewest problems. The commission stated in its 1972 report that students "adjusted quickly and smoothly to the new school environment, often despite fears and anxieties of their parents."

Keys to success: The commission's investigations have not resulted in a fool proof plan of action, yet they have been able to isolate some of the key elements which contribute to successful school desegregation operations. Briefly, they are: • Determination of the school board and administration to carry out the desegregation plan and to do so firmly and unswervingly • Support by the news media, local officials and civic leaders. • Distribution of the burden of desegregation proportionately among the community; • Involvement of parents as active participants, including keeping them thoroughly informed and soliciting their advice and suggestions; • Development of procedures to assure firm but fair and impartial discipline of students and their full participation in school activities; • Efforts to improve the quality of education during the desegregation process.

Boston's experience: It was the lack of many of the above elements that contributed to the nationally publicized disruption in Boston when that city's schools underwent Phase I of a court-ordered desegregation plan involving busing in September 1974. Prior to Phase II of Boston's desegregation plan, which was to go into effect September 1975, the U.S. Commission on Civil Rights held hearings which focused solely on the implementation of desegregation during Phase I. The commission found that most of Boston's schools desegregated "reasonably well." However, severe problems were created by the lack of affirmative leadership of city officials, the lack of preparation by the Boston school department and the open defiance of the plan by some members of the Boston school committee.

Mayor Kevin White was commended for his public education efforts during Phase I, in which he held coffees in the homes of persons opposed to court-ordered busing. However, the commission labeled his position on upholding the law "ambivalent" and noted that he considered himself a broker in the desegregation process, a position it found indefensible since the main point of contention was the enforcement of the law. In addition, the commission found that the religious community, social action agencies and the business community could have been more vigorous in their support of desegregation and busing.

Overall, the majority of Boston's schools desegregated "reasonably well" the commission reported. The schools that were successful "were characterized by 'strong' administrators who planned ahead and who were both consistent and positive in their policies. Students in these schools were found to have accepted one another and to have functioned without obvious tension and conflict." The attitude of parent and community groups was crucial. In those schools where desegregation went reasonably well, "organized and aggressive antibusing groups were either absent or were effectively neutralized by positive community forces."

Communication, planning ahead, involvement of *all* affected parties, affirmative leadership and support of the media and civic groups are elements which contribute to successful school desegregation operations. Even Boston's experience proves that where these elements are present, school desegregation can work.

Pregnant girls, teenage mothers

One of the tragic consequences of teenage pregnancy is exclusion from the education process. In *Children Out of School in America*, the Children's Defense Fund (CDF) reports that its survey of over 6,500 families in 30 sites around the country revealed that 5.8 percent of the children aged 6-17 excluded from school were pregnant and an additional 2.4 percent "wanted to get married." Pregnancy ranked as the third most frequently cited reason for being out of school.

Other figures confirm the incidence of teenage pregnancy and establish the attrition rate of teenage mothers from the education process. In a November 20, 1973 speech before a Conference on School-Age Parents in Columbia, South Carolina, Cyril Busbee, South Carolina state superintendent of education, stated that one out of every 10 school-age girls is a mother (about 210,000 such pregnancies per year) with one-sixth of the total number under 16 years of age. Moreover, about 85 percent of all teenage mothers keep their children. Busbee concluded that pregnancy is the major known cause of dropouts among girls in this country.

In a recent article in the *New York Times Magazine* (February 22, 1976), Leslie Aldridge Westoff establishes that the high national figures on teenage pregnancy cut across class and race lines. Her focus is on the rapidly growing number of white middle class unmarried girls who reject abortion and adoption and decide to have and keep their babies.

Statistically, all indications are that both teenage pregnancies and single-parent households are rising. Westoff points out that between 1971 and 1974, there was a 12 percent increase in illegitimate births to white girls ages 15 to 19 (with a corresponding 5 percent increase among black teenagers). Over the same period, illegitimate births to white girls under 15 increased by 32 percent against a 3 percent increase for blacks. More white teenagers have begun to keep their babies. While in 1966 an estimated 65 percent of white illegitimate babies were given away for adoption, a 1971 Johns Hopkins study put the estimate at 18 percent.

Most exclusons of pregnant girls and teenage mothers result from informal advice in favor of "voluntary withdrawal" rather than from overt policies. As the CDF study stated, educators' attitudes "are enough to convince most of them that they are not wanted." Although home or alternative instruction may be available in some school districts, many of these programs are tantamount to exclusion, particularly home tutoring programs, which usually consist of only a few hours a week. Senator Birch Bayh stated in the *Congressional Record* (October 17, 1975) that despite the fact that most pregnant girls are physically able to remain in their classes, less than one-third of the 17,000 school districts in the United States make any provision for the education of pregnant girls. "In the others, teenage parents are often prohibited from continuing their education or are removed from regular student rolls and placed on rolls of special students. This reclassification limits the range of educational courses and services available to them."

Pushing pregnant girls and teenage mothers out of school, or failing to provide positive incentives through adequate education, counseling and support services for them to stay in school, compounds the grave psychological, social, medical and economic problems they face. Sen. Bayh (*Congressional Record*, October 17, 1975) enumerated some of the difficulties that all too frequently accompany teenage pregnancies. Of the 60 percent of teenage mothers who currently marry by the time they give birth, two out of three will be divorced within five years. The suicide rate among pregnant students under age 18 is 10 times greater than the rate among the nonpregnant population. And the consequences extend to the children—a high proportion of the children kept by their teenage mothers at birth will eventually be relinquished to foster or institutional care during the preschool years, often as abused or neglected children.

Many of the problems associated with teenage motherhood relate directly to economic strain. Failure to finish her education makes the likelihood of the teenage mother's ability to support herself and her child slim. Even for white middle class girls, the economic burdens of caring for a child are overwhelming if parents don't take over the major share of responsibility.

Assuring the right to an education can be the critical factor in helping pregnant girls and teenage mothers cope with the strains of their situation. As *Children Out of School in America* points out, "These students need to complete their education as much as other students. If they are forced out, the consequences to themselves and their children—two generations of children ill-equipped for full participation in society—are a tremendous cost to bear." The "consequences" can include the cycle of economic dependency and its attendant problems—a cycle which staying in school can break by helping girls to maximize their chances for economic self-sufficiency.

Relevant court decisions, laws and regulations

Local school district policies on pregnancy vary widely and in many cases are unwritten. Moreover, exclusion of pregnant girls is often an unofficial practice even in school districts that have reasonable policies on record. However, several key lower court decisions have established the right of pregnant girls to an education. In *Ordway v. Hargraves* (Massachusetts, 1971), a federal court ruled that a pregnant girl could not be excluded from school on the ground that attendance would either endanger her health or cause a disruption. In *Perry v. Granada* (Mississippi, 1969), another federal court ruled that exclusion solely on the basis of unwed motherhood was a violation

of equal protection under the U.S. Constitution. While these and other cases have established legal precedents for the right to education of pregnant girls and teenage mothers, the Supreme Court has never directly reviewed these rights.

The variability of local policies regarding teenage pregnancy and motherhood will be drastically affected by the implementation of Title IX of the Education Amendments of 1972, which for the first time establishes a national policy on sex discrimination for institutions receiving federal aid. The Title IX regulations forbid discrimination or exclusion from any class or extracurricular activity on the basis of "pregnancy, childbirth, false pregnancy, miscarriage, abortion, or recovery therefrom." Pregnancy is to be treated like any other temporary disability, which means that pregnant girls cannot be required to produce a doctor's certificate to remain in or return to school unless that requirement is ordinarily made of students with other temporary disabilities. Marital status cannot affect treatment of a pregnancy. If a student elects to take a temporary leave of absence, she must be reinstated when she wishes to return to school.

A key provision of the regulations is that while school districts are not barred from providing separate classes or programs for pregnant students, no student can be required to enroll in them or be home tutored. Whether or not she chooses to remain in a regular classroom is the option of the student. Moreover, a separate program provided by a school district must be comparable educationally to the instruction provided in a regular classroom. (See the article on Title IX for information on implementation timetables.)

Although there is a variety of federal-level legislation that affects pregnant girls and teenage mothers, there is to date no specific legislation targeted to their needs. Existing federal programs which can provide services include Titles IV-B (child welfare services), V (maternal and child health services), and XX (social services) of the Social Security Act; the Women, Infants and Children supplemental feeding program (of the Department of Agriculture); and Title X (family planning) of the Public Health Service Act. However, all of the existing categorical programs which have the potential for serving pregnant girls and teenage mothers have so far been funded at hopelessly low levels. Both Senator Bayh and Senator Edward Kennedy have introduced legislation before the Senate that addresses the problems of pregnant girls and teenage mothers, but as of this date mark-up has not yet been scheduled for either bill in the Subcommittee on Health.

What you can do

Since the Title IX regulations now define what is essentially a national policy on pregnant girls and teenage mothers, monitoring the implementation of these regulations is critical. See the Title IX article for suggestions on monitoring implementation of the Title IX regulations. It is especially important to find out what the school district's "old" policy was, written or unwritten, and to make contact with the appropriate policy makers to find out how the policy is being adjusted, if at all, in light of Title IX.

Stopping the exclusion of pregnant girls and teenage mothers from school does not involve new programs or new money—it involves implementing the mandate of the Title IX regulations. Although school districts have until July 21, 1976 to come up with their complete self-evaluation, there is no excuse for exclusions to be tolerated in the interim. Since exclusion of pregnant girls has traditionally been subtle, it is important to remember that the Title IX regulations emphasize the relevance of procedures as well as policies. If a school has a nondiscriminatory official, written policy but in practice follows traditional patterns of discrimination, it is in violation of Title IX.

If your school district sets up separate facilities for pregnant girls, try to find out whether they meet the Title IX standard of educational comparability by talking with students and teachers and visiting the facility. If a school system chooses to set up a special program outside the framework of the regular classroom, it must be careful to assure that special services provided such as counseling, prenatal care and courses in child development are a supplement and not a replacement for academic instruction. Study the information available on the various kinds of special programs that have been implemented around the country. Familiarity with both the successes and failures of existing "comprehensive" programs will give you a better basis on which to assess programs in your community and have input into the development of improved or new programs.

Find out whether your school district and/or local government are receiving any federal or state funds to run programs that are providing or could provide services for pregnant girls and teenage mothers. Examine those programs not only to assess what services they provide but also to evaluate how they are coordinated with the school district's policies and programs.

Full compliance with Title IX vis-a-vis pregnant girls and teenage mothers clearly involves not only elimination of old policies of outright exclusion and benign neglect, but also establishment of affirmative action programs in the form of positive incentives to help them remain in school. And it is unlikely that the past patterns will be overcome without vigilant citizen advocacy.

Discipline

Exclusion of children from school through disciplinary practices has reached alarming proportions nationally. In a report entitled *School Suspensions: Are They Helping Children?* published in September 1975, the Children's Defense Fund (CDF) reported that one in every 24 children enrolled in the 2,862 school districts reporting to the Office for Civil Rights (OCR) was suspended at least once in the 1972-73 school year. At the secondary level, the number rose to one out of every 13 children.

The OCR data analyzed by CDF shows that suspension is a nationwide problem. However, the burden falls disproportionately on black children, who are suspended at twice the rate of any other group.

High as the national OCR figures are, they actually represent an undercount because they do not include all those children excluded by informal methods such as "cooling off" periods, "voluntary" withdrawals, misplacement into special education classes, forced transfers back and forth among schools or thousands of dropouts who simply decided not to return to school once they had been suspended.

Moreover, not all school districts were included in the OCR survey, many school districts either failed to report suspensions or reported them inaccurately, and no count was made of multiple suspensions. CDF's door-to-door survey showed that 40 percent of suspended students had been suspended two or more times and 24 percent were suspended three or more times.

The subject of school suspensions is surrounded by a series of myths. Many people assume that suspensions affect only a few troublemakers who cause violence and vandalism. It is also widely assumed that suspensions are an effective educational tool, fairly administered and used only after other alternatives have been tried and failed.

School Suspensions states, however, that "the number of truly dangerous and violent children in schools is very small" and that "most children who commit violence and vandalism are not suspended but expelled." In fact the vast majority of suspensions are for nonviolent offenses: CDF's survey found that 63.4 percent were for nondangerous offenses (for example, 24.5 percent were for truancy and tardiness). Less than three percent were found to be for destruction of property, the use of drugs or alcohol, or other criminal activity. The high proportion of suspensions handed out for truancy and tardiness is particularly troubling, since it fails to deal with the underlying problems of why the children are truant or tardy and simply sends them out into the street—possibly the worst alternative.

Suspensions are often imposed arbitrarily, without prior notification of parents and students and without giving the students an opportunity to explain their side of the story. Only 3.4 percent of the suspended children in CDF's survey had a hearing.

There is tremendous variation in the length of suspensions and in the numbers of kinds of suspendable offenses among school districts and even among schools in a single district. Much of the inconsistency regarding discipline comes from the fact that too few school districts establish or disseminate written policies on discipline. When no clearly established and understood policy exists, defining suspendable offenses is left to the whim of individual administrators and teachers.

Most suspensions do not serve any demonstrated valid interests of students or schools, and they are frequently used by school officials instead of confronting tougher issues: ineffective and inflexible school programs; inadequate communications with students, parents and the community; and a lack of understanding about how to serve children of many different backgrounds and needs. The most frequently stated official rationale for suspensions among school officials interviewed for the CDF survey was to get the parents into school—a striking index of the lack of communication between schools and parents.

Relevant court decisions, laws and regulations

In 1975, two landmark Supreme Court decisions, *Goss v. Lopez* and *Wood v. Strickland*, laid down important precedents in the area of disciplinary action against students. Although a number of lower court rulings had begun to acknowledge hearing rights, it was not until *Goss* that the Supreme Court recognized the hearing rights of children threatened with disciplinary exclusion from school. A month later the *Wood v. Strickland* decision recognized the right of students to recover damages from school officials whose actions violate a student's constitutional rights.

The *Goss* decision outlined what every student's minimal hearing rights are when faced with a suspension of less than ten days. Before suspensions can take place, students must be given oral or written notice of the charge against them. If they deny the charge, they must be given an explanation of the evidence against them and a chance to explain their side of the story. Students must be told what they are accused of doing in enough detail to defend themselves. Hearings must be held before students are sent home from school, except in the narrowly defined circumstance of continuing danger to persons or property or threat of disrupting the school. Under the exception, a hearing should be held no later than the next day. In most such suspensions, schools need not allow students the opportunity to have a lawyer, to listen to and question witnesses testifying against them or to call witnesses to support their case. Students and parents can, however, request a formal hearing.

Even though *Goss* did not go very far in establishing procedural hearing rights, some lower court decisions, several states and school systems have established more extensive hearing rights in some school districts. As a result of the *Mills* decision (1972), Washington, D.C. students faced with a suspension of more than two days must receive a hearing before an impartial hearing official. At this hearing students are entitled to be represented by an attorney, law student or community advocate. They may question witnesses testifying against them and have the right to bring their own witnesses. Similar rights have been established in New York, New Jersey, Philadelphia, parts of California, Maryland, North and South Carolina, Virginia, New Hampshire, Washington and several other states for suspensions of five days to ten days.

On the issue of long-term suspensions the *Goss* decision said only that "longer suspensions (more than ten days) or expulsions for the remainder of the school term, or permanently, may require more formal proceedings." The decision also did not address the question of the *nature* of offenses which can be punishable by disciplinary exclusion or the severity of that punishment.

OCR requires school districts to report data on suspensions and expulsions. Although OCR has not developed a comprehensive compliance program to combat its own findings of racially discriminatory discipline policies, it has recently revised its requirements for record-keeping on student discipline procedures and actions.

In August 1975 OCR issued a memorandum setting forth some precise record keeping and reporting requirements on discipline to chief state school officers. This memorandum stated that "in many hundreds of school systems around the nation, minority children are receiving a disproportionate number of discipline actions in the form of expulsions and suspensions and are being suspended for longer periods than nonminority children." OCR also stated that in order to bring about compliance in school systems where there appear to be violations of Title VI (of the Civil Rights Act of 1964) and Title IX (of the Education Amendments of 1972), it would require school districts to furnish a number of documents relating to student discipline actions. The documents include state statutes; written statements on school policy, standards, practices and procedures for discipline; a detailed account of the numbers of students suspended (by racial and ethnic designation, sex, school attended, offense, person(s) reporting offense and imposing action, and accounting of the procedural history of the case), a detailed log of formal and informal hearings (including referral to special classes for behavior modification and transfers), an accounting of dropouts and the reason for withdrawals; and a log of referrals of discipline cases to courts or to juvenile authorities.

In a memo released in January 1976, OCR retreated significantly by making the list of documents illustrative rather than definitive and pushing back the timetable for implementation. Under the watered-down guidelines, OCR permits school districts which maintain discipline records in formats other than the one described in the original memo to continue to use them. Further, although OCR "strongly encourages" implementation of the new reporting requirements during the 1975-76 school year, school districts are not required to adopt them until the opening of the 1976-77 school year. Finally, OCR has decided that for now the record-keeping requirements will be limited to the 3,000 or so school districts in the nation that enroll significant numbers of minority children.

The comprehensive Juvenile Justice and Delinquency Act of 1974 includes help for states and local communities to develop programs that will reduce juvenile delinquency by keeping students in school "through the prevention of unwarranted and arbitrary suspensions." Funding is provided through formula grants of no less than $200,000 annually made by the Office of Juvenile Justice and Delinquency Prevention in the Law Enforcement Assistance Administration (LEAA) to states that submit acceptable plans. Seventy-five percent of these state funds must be spent on advanced techniques for preventing juvenile delinquency, diversion of juveniles from the juvenile justice system and provision of community-based alternatives to juvenile detention and correctional facilities. One of the techniques listed is funding educational programs or supportive services designed to keep delinquents and to encourage other youth to remain in school or in alternative learning situations.

What you can do

☐ First of all, learn about the policies and practices of your school system. Study the policies on student discipline, the student conduct codes and the student handbooks.

☐ In what form does the school district disseminate information on its discipline policies to administrators, teachers, parents and students? Are individual schools' codes legal, fair and consistent with the school system's policy?

☐ Do student handbooks incorporate student input and "translate" students' rights into understandable language?

☐ Talk with the appropriate school authorities about how discipline is handled. In talking to officials, teachers and students, try to find out about any special programs or procedures that are being implemented as alternatives to suspensions. You may want to identify alternatives that could be used in the school system.

☐ Take a look at the discipline records required by OCR. Find out what plans your school district has for coming into compliance with OCR's new record-keeping requirements. It may already be revising or implementing new procedures. Does your school district analyze the data it collects on suspensions? Such an analysis should provide a profile of the pattern of suspensions, the number of class days lost and the corresponding reduction in state aid, which is based on average daily attendance in many states.

☐ Try to identify what some of the root problems behind an overuse of disciplinary exclusions might be, such as poor school community relations or poor leadership at a particular school. Once you have studied the problem and understand the issues, work out ways to begin a dialogue among citizens—not just parents—educators, and students.

☐ Try to educate the community about discipline problems.

Beyond studying the problem, exposing it and seeking suport from other concerned parents and citizens, there are a number of strategies you can try out.

☐ Encourage your superintendent or school board to appoint a group of parents, students and educators to study the entire problem in depth and make specific recommendations.

☐ Work with concerned students to help them deal with discipline and suspension problems in their schools. By talking with students, you can also identify positive models within the system whose success at dealing with disciplinary problems can be shared with other teachers, school officials and the community. You could also develop a volunteer advocacy program for suspended students that aims to get them back into school as quickly as possible.

☐ If you find that the discipline process in your school district is racially discriminatory, submit a formal complaint to the regional OCR. State that the complaint is against your school district's violation of Title VI of the 1964 Civil Rights Act, document the complaint as fully as possible, ask for an on-site investigation of the problem and request to be informed as to the disposition of the complaint.

☐ Although litigation is not always the answer to remedying problems such as inadequate discipline policies and practices, consider legal action if the concepts of equal protection and due process have been violated.

Children with special needs

Children with special educational needs have traditionally been labeled handicapped, then stigmatized as a result of the labeling process. In fact, there is a tremendous range of physical and psychological special problems that children exhibit, some of them as common as speech defects and others as severe as extreme mental retardation.

The Bureau of Education for the Handicapped of HEW defines the term "handicapped" to mean children with certain impairments that require special education and related services. It can refer to such labels as EMR (educable mentally retarded), EMH (educable mentally handicapped), TMR (trainable mentally retarded), TMH (trainable mentally handicapped), ED (emotionally disturbed), EH (emotionally handicapped), LD (learning disabilities), PH (physically handicapped), HH (hard of hearing), D (deaf), B (blind), VI (visually impaired) and SI (speech impaired).

Children with special educational needs suffer in several distinct ways at the hands of school systems. Particularly in the case of more serious problems such as blindness, deafness or severe physical handicaps, they are often excluded by school systems that either provide no services at all or maintain services that reach only a fraction of those who need them.

Another, perhaps even larger group is partially or functionally excluded from the education process. This group includes students who are shunted into inadequate programs, those who are unnecessarily segregated from all regular classroom experience and children whose problems have gone undiagnosed or misdiagnosed—with resultant placement in programs that do not fulfill their educational needs.

The ease with which school districts can deny an education to children with special needs is illustrated by the fact many states still have statutory exemptions for physically, mentally and emotionally handicapped children. In *Children Out of School in America*, the Children's Defense Fund (CDF) reported on the paucity of special education programs in the 17 school districts it surveyed first-hand. Eight school districts reported they had no special services for deaf or hard of hearing children; seven reported no inschool programs for blind or visually impaired children; five reported no services for children with learning disabilities; three reported no programs for children labeled emotionally disturbed; and ten provided no inschool programs for physically handicapped children unable to participate in the regular school program. CDF also found that when programs do exist, they are frequently not adequate to serve all the children who need them. Long waiting lists are common, particularly for ED and LD programs. Waiting lists for EMR programs, the most commonly provided special education programs (except for SI services), were found in nine of the school districts surveyed.

Local estimates of the need for special programs and numbers of children being served parallel the gross figures available on a national level. (BEH stated that in 1971-72 44 percent of handicapped children aged 0-21 were being served in public schools or state-supported institutions, while a Rand study for HEW estimated that in the 1972-73 school year, 59 percent of handicapped children aged 5-17 were being served in public schools.) Precise data does not exist even where school districts are mandated to conduct a general census or a special census of handicapped children.

Poor placement procedures are rampant in special education. Parents are often not brought into the placement process, which includes testing, diagnosis and treatment of the child. Although some parents and parent groups are beginning to put more pressure on school officials to demand adequate services and fair, objective placements, parents are generally unaware of and uninvolved in the crucial decisions about their children's special education placements.

There are several other problems with the placement process. For example, the assessment techniques used are nearly always based on standardized tests that may be culturally and racially biased. For non-English speaking students, the problem is compounded by the scarceness of both tests in other languages and the bilingual personnel to administer and interpret them.

Some children are placed into special classes on the basis of subjective evaluations that may reflect teachers' desires to "dump" behavior problems that do not warrant special placement. LD, ED and EMR placements can all be used to "dump" children whom classroom teachers don't want to or can't deal with.

A related problem in the misclassification area is definitional. Educators, psychologists and others disagree among themselves about what the criteria are that apply to any specific handicap. Since standards for both classification and program content vary, special classes bearing identical labels may connote very different programs in different school districts. Sometimes placement is arbitrarily determined on the basis of factors other than special need. White children, for example, are more likely to be placed in relatively less stigmatized LD classes, with ED and EMR classes carrying disproportionate minority enrollments.

In the many cases in which the school districts do not make available a full range of special education services, children are frequently placed into whatever special program is operating, even if it is inappropriate for them. Misplacement has been traditionally most endemic in EMR classes, since frequently they are the only special classes available.

There is evidence that the kind of funding available sometimes determines classification. As *Children Out of School* points out, school officials are sometimes careless about the classification and placement process. "Rather than seeking children with unmet needs who may be difficult to find, the temptation to label those at hand is appealing."

The most striking problem of misclassification involves racial discrimination in the placement of black students into EMR classes. CDF analyzed special education data submitted to the Office for Civil Rights (OCR) in the fall of 1973 by 613 school districts in five southern states and discovered that for the 505 districts reporting students enrolled in EMR classes, over 80 percent of the students in EMR classes were black, even though less than 40 percent of the total enrollments in those districts were black. Forty-six percent of those districts reported that five percent or more of their black students were in EMR classes, but only four districts reported five percent or more of their white students in EMR classes. Whether the disproportionate numbers of blacks in EMR classes in the south stems from an attempt to resegregate black students or is a result of placement procedures, it is clear that the figures raise serious questions of racial discrimination.

Special education problems extend beyond the scope of placement procedures and misclassifications into the education services actually provided by special programs. For example, all the school districts surveyed by CDF except for Washington, D.C. reported placing a large proportion of their EMR children in separate classes. The tendency to label children and then physically separate them from their peers inflicts an almost automatic stigma on children with special needs. Moreover, the programs provided for them are frequently no more than custodial in nature. In many districts, particularly those in which special education programs do not extend beyond the elementary school level, children do not have the opportunity to realize their full learning potential and end up more or less marking time in school.

Relevant court decisions, laws and regulations

Two federal statutes, the Education of the Handicapped Act-Part B (EHA-B), as amended in 1974, and the Education for All Handicapped Children Act of 1975 (P.L. 94-142) affect children who are handicapped or labeled handicapped by their school districts. Both laws not only protect children from misclassification, but also require the provision of extensive special education services.

EHA-B, as amended in 1974, distributes a specific amount of funds to each state (on the basis of number of children aged 3-21), which in turn distributes it to local school districts that apply for funds. States must give priority to programs serving children who are not in school at all and children who are severely handicapped. While not all school districts in a state receive EHA-B funds, each state must develop a "state plan" insuring compliance with the law in *every* school district. The major requirements include: ☐ providing all handicapped children with "full educational opportunities;" ☐ establishing due process safeguards for identification, evaluation and placement of children into special education programs; ☐ designing local and state procedures to educate handicapped children with nonhandicapped children ("mainstreaming") as much as possible; ☐ providing racially and culturally nondiscriminatory tests and procedures for special education evaluations.

The Education for All Handicapped Children Act of 1975 extends EHA-B until October 1977. At that time, several program funding changes will be made and the requirements outlined above will be strengthened: Funds will go directly to local school districts as well as to states, and recipient school districts will have to submit detailed plans to state education agencies. These federal funds can be used

only to pay the "excess costs" of special education, that is, the difference between the cost of educating a handicapped and a non-handicapped child.

Under the new law, by September 1, 1978 all handicapped children aged 3-18 must be provided a "free appropriate public education" unless prohibited by state law and by September 1, 1980 all such children aged 3-21 *must* be served.

The law also encompasses the former state plan requirements under EHA-B, particularly in the area of due process, and strengthens them. The strengthened due process safeguards which will take effect in FY '78 include: ☐ prior notice of any change in a child's program and explanation of procedures to be given to parents in written form and in their primary language; ☐ access to relevant school records and an independent evaluation of the child's special needs; ☐ impartial due process hearings to be conducted by the state education agency or the local or intermediate school district, but in no case by a person "involved in the education or case of the child;" ☐ the right of a child to remain in his or her current placement while due process proceedings are taking place; ☐ designation of a "surrogate parent" to use the procedures outlined above for a child who is a ward of the state or whose parent or guardian is unknown or unavailable.

The new law also includes the requirements that tests and procedures for evaluating special needs be in the primary language of the child; that no single test or procedure be the sole basis for determining a child's placement; that handicapped children, *including children in institutions*, must be educated as much as possible with children who are not handicapped; and that written, individualized educational plans for each child evaluated as handicapped be developed and annually reviewed by a child's parents, teacher and designee of the school district.

Concern with possible sex and race discrimination in special education has also been manifested recently at the federal level. In August 1975 the Office for Civil Rights (OCR), charged with administrative enforcement of Title VI and Title IX in education programs receiving federal aid, issued a memorandum to chief state school offices and local school district superintendents on identification of discrimination in the assignment of children to special education programs. The memorandum establishes specific standards for Title VI and Title IX compliance in the area of special education.

At the outset, OCR states that compliance reviews have revealed a "number of common practices which have the effect of denying equality of educational opportunity on the basis of race, color, national origin or sex in the assignment of children to special education programs." The memo points out that the disproportionate over or under-inclusion of any group of children may indicate possible noncompliance with Title VI or Title IX. Evidence that a school district has used criteria or methods of referral, placement or treatment of students that have the effect of subjecting individuals to discrimination may also constitute noncompliance with Title VI or Title IX. Some practices may also violate section 504 of the Rehabilitation Act of 1973, which prohibits discrimination on the basis of handicap. OCR is currently formulating the regulation for section 504.

The memorandum notes that OCR took into account the requirements of EHA-B for state plans in establishing its standards for Title VI and Title IX compliance in the area of special education. It instructs school officials to examine their current practices to assess compliance and to immediately devise and implement a plan to correct whatever compliance problems they might find. Such a plan must also provide reassessment or procedural opportunities for all students currently assigned to special education programs "in a way contrary to the practice outlined." Such students must be reassigned to an appropriate program and provided with whatever assistance is necessary to compensate for the detrimental effects of improper placement.

Court decisions have also played a influential role in establishing the education rights of children with special needs. Undoubtedly the most significant have been *PARC (Pennsylvania Association for Retarded Children)* v. *Pennsylvania* (1972) and *Mills* v. *D.C. Board of Education* (1972). The *PARC* consent decree laid the groundwork for establishing the legal right to an education for all children by upholding the claims of mentally retarded children to an education. The *Mills* federal court decision broadened the groups of special-needs children the D.C. schools are obligated to serve beyond the mentally retarded to children with other physical and emotional needs. Both of these suits established hearing rights in the area of special needs.

The Children's Defense Fund, in cooperation with local Mississippi attorneys, is presently bringing suit on behalf of 22 plaintiffs in six counties who are not in school or who are not receiving any special services. The suit (*Mattie T.* v. *Holladay*) challenges the state's receipt of funds under EHA-B as amended in 1974—the first time that federal statutes have been used as a basis for arguing these right-to-education claims.

In recent years, several states, including Massachusetts, Michigan and Tennessee, have passed special education laws including in varying degrees many of the provisions now included in EHA-B and the Education for All Handicapped Children Act. In many cases these laws explicitly or implicitly supersede old laws on the books that allowed states to exclude children with special needs.

What you can do

The passage of laws represents only the first step toward implementation of sound procedures and programs. It takes citizen involvement to translate legislation into practice.

☐ Find out what the status of the law and policies are for your school district and state.

☐ Does your state have a special education law?

☐ Do state statutes require more or less than EHA-B and the Education for All Handicapped Children Act? If the federal laws' requirements are stronger than the state law, then you can exert pressure to bring the state guidelines into conformity with the federal law.

☐ Monitoring of state and local school systems by parents and concerned citizens will be crucial in assuring that EHA-B and the Education for All Handicapped Children Act are implemented. You may want to work with other concerned individuals or groups who are interested in the plan not only to study and comment on plans as they are revised periodically, but also to monitor them on an ongoing basis. Begin by familiarizing yourselves with the 1975 and 1976 plans and assessing the degree to which they have been implemented by talking to state education agency officials, local school officials, teachers, parents and concerned community people.

☐ State plans are available to the public for comment and then submitted to BEH for approval. Parents have a right to participate in the development of these plans and to make comments to their state departments of education. Amendments to state plans for the 1974-75 school year, the first year of implementation, were not approved until the spring of 1975. Although additional amendments to the state plans for 1975-76 were due on August 21, 1975 most states were late with their '76 plans. Find out when these plans were developed and approved in your state. The comment period may vary from state to state.

☐ The '76 state plans must describe in detail the steps a state will take to identify and evaluate all children with special needs and provide special education services to those children who need them. Check the ongoing due process safeguards that should have been adopted in your state's plans to assess whether your school district is in compliance. Hearing procedures should be part of the due process safeguards. Find out what written policies exist for hearing procedures and how they have been disseminated to parents and the community. Help make other parents aware of their rights and their children's rights and how a parent can use available procedures to challenge a decision about his/her child's educational program.

☐ In examining the implementation of the state plan, look at how the state and local school districts are carrying out the following activities: 1) making parents and others in the community aware of the rights of handicapped children, the existing programs, and where parents can go for information about special needs; 2) identifying and locating children with special needs; 3) providing a comprehensive diagnosis and evaluation of every child before any special placements are made; 4) providing special educational services to all children identified and evaluated as handicapped and in need of them; 5) providing regular reassessment of placements and a mechanism for changing or modifying them as necessary.

☐ Find out to what extent your local school district has been involved, if at all, in developing the 1975 and 1976 state plans, how EHA-B funds are being used locally, and to what extent there are any provisions for involving parents in any program or expenditure decisions.

☐ If you find a situation which you think violates the state plan or the law, write a complaint to the state department of education and to BEH. If you think that handicapped children are being discriminated against on the basis of race, national origin or sex, then file a complaint with OCR.

Sex discrimination & Title IX

A not-so-quiet revolution is taking place today in America's schools. School administrators, teachers, parents, students and interested citizens are taking steps to overcome the pervasive sex bias, role stereotyping and discrimination in education institutions. What distinguishes this current movement from past activity is that now there is a federal law explicitly prohibiting sex discrimination in elementary and secondary school districts, colleges and universities that receive federal funds. Virtually all of the 16,000 public school districts and 2,700 post-secondary institutions are covered by Title IX of the Education Amendments of 1972, which states: "No person in the United States shall, on the basis of sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any education program or activity receiving federal financial assistance."

Title IX applies to the treatment of students and employees and affects a number of areas including: housing, counseling, athletics, financial aid, employment, recruitment and admissions. HEW's Office of Civil Rights (OCR) is responsible for compliance and enforcement activities. Since the major support for Title IX passage came from women, there is a tendency to think of the legislation as beneficial only to women, but the law in fact covers discrimination against *both* women and men on the basis of sex.

Coverage

The regulation implementing Title IX became effective July 21, 1975, nearly three years after the law was passed. This article will discuss how Title IX will operate in selected areas. (See the final regulation for details on how other activities will be affected.)

Admissions: The admissions policies of vocational, professional and graduate schools and public undergraduate schools (except those that have been and continue to be single sex) are covered by Title IX. The admissions policies of preschools, elementary and secondary schools (except vocational schools) and private undergraduate schools are exempt. However, even institutions whose admissions policies are exempt from Title IX must treat *all* admitted students (male and female) on a nondiscriminatory basis. Specifically exempt are:

1) military institutions at the secondary level whose primary purpose is to train individuals for U.S. military service or service in the Merchant Marine;

2) educational institutions run by religious organizations to the extent that compliance would not be consistent with the tenets of the religious group;

3) *social* fraternities and sororities and organizations like the YMCA, YWCA, Girl Scouts, Boy Scouts and voluntary youth service organizations whose membership has been traditionally limited to youth nineteen years old and under.

An institution whose admissions policies are not exempt from Title IX coverage is prohibited from discriminating on the basis of sex in recruiting students and cannot recruit exclusively at schools for one sex only. To overcome the effect of past exclusionary recruitment policies some institutions may have to take affirmative action.

Employment: All employees of institutions receiving federal funds are covered by Title IX. Institutions cannot pursue employment policies that discriminate in recruitment, advertising, hiring, upgrading, promotion, rate of pay (or other forms of compensation), fringe benefits and leaves of absence (pregnancy is to be treated as any other temporary disability).

Athletics: The activity affected by Title IX that has received the most media coverage is athletics. Because the inequities in athletics and sports are so deep rooted, schools may encounter such difficulty in providing equal athletic opportunities that inequities will probably continue, in the view of some observers.

The regulation permits schools to maintain separate teams when selection for teams is based on a competitive skill or when the activity involved is a contact sport. HEW includes boxing, wrestling, rugby, ice hockey and football as contact sports. If a school has maintained a team in a particular noncontact sport for one sex only, then the previously excluded sex must be allowed to try out for the existing team.

Although schools are required to provide equal athletic opportunities, they are not required to make equal aggregate expenditures. Among factors HEW will consider in determining whether equal athletic opportunities are being provided are: travel and per diem allowances, provision of equipment and supplies, provision of housing, dining facilities and services.

Physical Education Classes: Separate physical education classes for boys and girls are prohibited under Title IX, with a few exceptions. Students may be grouped according to sex within classes when contact sports are involved. Also, separate classes may be held if they deal exclusively with human sexuality. The grouping of students according to ability (based on objective standards) is permissible, despite the fact this may result in classes made up predominantly of one sex.

Elementary schools are allowed an adjustment period of up to one year to comply with the athletics regulation; secondary and post-secondary institutions have three years to comply. HEW has repeatedly emphasized that the adjustment period is not a waiting period and that all schools should take immediate steps to comply. They may justify taking the full adjustment period only if they can demonstrate the existence of real barriers to immediate compliance.

Financial Aid: In general, schools are prohibited from administering trust scholarships that designate a particular sex. Under Title IX, schools must initially select students to receive financial aid on a nondiscriminatory basis. If a situation arises where there is insufficient financial aid from non-sex-restrictive sources to balance out the sex-restricted funds, then the school must obtain money from other sources to eradicate the imbalance or award fewer funds from sex-restricted sources.

Schools may administer single-sex scholarships for foreign study, so long as similar opportunities are provided to members of the other sex.

Vocational Education: In the past, the assignment of girls to home economics classes and boys to industrial arts classes was an accepted practice. Vocational education has reflected traditional social norms for "appropriate" life and career roles for females and males. Studies on the treatment of males and females in vocational education show that generally female students have not been allowed to get training in those courses that lead to higher paying skilled and semiskilled jobs. Title IX prohibits sex discrimination in such vocational programs as shop and business, including courses offered at the elementary and secondary level.

Counseling: Schools covered by Title IX are prohibited from: (1) providing career, personal or class counseling services that differentiate on the basis of sex; (2) classifying occupations by sex in counseling and testing programs; (3) providing materials that state or imply that certain academic, career or personal choices are more appropriate for one sex than the other; (4) assigning students to counselors on the basis of sex. In addition, schools must identify those courses that contain a disproportionate number of students of one sex and determine whether the makeup of these courses is the result of counseling discrimination or related instruments or materials.

What institutions must do by July 21, 76:

☐ Notification of policy: Schools must notify the following applicants that it cannot discriminate on the basis of sex under Title IX: applicants for admission and employment, students and parents of elementary and secondary school students, employees, sources of referral for applicants for admission and employment, unions and other professional agencies with whom it has contacts or agreements. Institutions were required to place notification of the nondiscrimination policy in publications such as student handbooks, application forms, bulletins, catalogs, newspapers and magazines by October 19, 1975.

☐ Designation of Title IX Coordinator: Schools are required to designate an employee to coordinate its Title IX activities and to inform students and employees of the appointment.

☐ Grievance Procedures: Schools are required to adopt and publish grievance procedures for prompt and equitable resolution of student and employee discrimination complaints. The structure of the grievance procedure is left to the discretion of the school. A school district may set up a central office to handle grievances for the entire district or it may decide to let each school set up its own. Employees and students must be notified that a procedure has been established and how grievances will be handled.

☐ Self-Evaluation: In the process of conducting the required self-evaluation schools must: (1) evaluate their current policies and practices; (2) modify inadequate practices and policies; (3) take remedial steps to correct past discriminatory practices and policies. Schools are

required to keep their self evaluations and related materials on file for at least three years.

☐ Assurance of Compliance: The regulation does not specify that the assurance of compliance must be submitted by July 21. However, since institutions must complete and submit their self-evaluations by July 21, it is generally assumed that assurances will be submitted shortly thereafter. Each school applying for federal funds is required to submit an assurance of compliance with Title IX to the director of the Office of Civil Rights. Before an assurance can be submitted and accepted by HEW, schools must have conducted a self evaluation and documented remedial actions and modifications in policies taken to bring them into compliance with Title IX.

Citizen monitoring: a must

Citizen monitoring is essential if the goals of Title IX are to be achieved. Citizens can organize such a monitoring effort in a number of ways, including formation of a citizen's advisory committee or participation in monitoring projects. If you plan to monitor you should know the law (see *Resources* on how to get copies of the regulation) and the location of the regional HEW office for your state.

The most crucial period for schols in terms of compliance is the first twelve months. No matter how your monitoring effort is structured, the following questions on the tasks to be completed by July 21, 1976 should be on your checklist:

☐ Has your school district published a notification of policy?

☐ Has a Title IX coordinator been designated?

☐ Has a grievance procedure been established?

☐ Has a self-evaluation been completed?

☐ Has an assurance of compliance, complete with documentation showing the remedial steps that have been or will be taken to correct past discriminatory practices and policies been submitted to HEW?

Get involved and find out what is being done now in the schools to overcome past discriminatory policies and practices. In addition to monitoring, consider engaging in other activities to help schools and the community during the period of transition. Cosponsor with the school board a public discussion on what changes are taking place as a result of Title IX or recommend materials that would help schools conduct comprehensive self-evaluations.

What you can do

Anyone who feels (s)he has been discriminated against on the basis of sex by the education system should file a complaint with HEW. By letting HEW know that the public expects enforcement of Title IX and letting the educational institution know that discriminatory practices will not be tolerated, filing a complaint has a dual benefit. Moreover, the mere act of filing a complaint may prompt the institution to correct these practices immediately on its own. Here are some tips on how to file a complaint.

What Is The Deadline? Generally, complaints must be filed no later than 180 days after the discrimination occurs. However, if the discrimination is an ongoing problem, for example, unequal pay for equal work, a complaint can be filed at any time.

What Should Be in A Complaint? ☐ name of the school district (and the individual school), college or other institution; ☐ name of the person discriminated against; ☐ description of the discriminatory action or policy; ☐ supporting evidence (if available); ☐ your name, address and telephone number (and those of additional persons you feel should be contacted—be sure to explain why); and ☐ a request for prompt action. The more information you provide HEW in the complaint, the more effectively HEW can handle it.

To Whom Should It Be Sent? Send complaints to the director of the appropriate HEW regional Office for Civil Rights. In addition, you may want to send copies to your congressional delegation, school board, local newspaper and organizations concerned with sex discrimination and/or women's issues.

What About Confidentiality? HEW must keep confidential the name of the person or group filing a complaint; however, names may have to be revealed during an investigation. If you wish your name to remain confidential, stress this in your complaint and ask HEW to let you know in advance if your name has to be revealed.

What Will HEW Do With Your Complaint? Once HEW has received a complaint it will generally notify the affected institution that a complaint has been received, attempt to resolve the complaint with a few telephone calls or conduct an on-site investigation, notify the complainant and the institution in writing of HEW's findings and negotiate with the institution to set up procedures to overcome any discrimination found. HEW's ultimate weapon is the cutting off of federal education funds.

Although the regulation requires institutions to establish a formal local grievance procedure, anyone with a sex discrimination complaint may file with HEW and bypass the local grievance procedure altogether.

Title I—compensatory education

Title I of the Elementary and Secondary Education Act of 1965 is the largest federal education aid program. It provides federal financial assistance to local education agencies that serve large concentrations of children from low-income families. This federal money must be used to expand and improve educational programs that contribute to meeting the special educational needs of educationally deprived children. Through this same title federal aid is provided to state education agencies (SEAs) for programs designed to meet the special educational needs of handicapped, neglected, delinquent and migrant children and the administration of Title I.

The education amendments of 1974 make many changes in the 1965 act. They:

☐ change the way Title I funds are distributed,

☐ provide better opportunities for parental involvement,

☐ attempt to guarantee participation in Title I programs to eligible children in private schools,

☐ expand programs for migrant children,

☐ set aside a precise amount of funding for a national evaluation of Title I programs.

This article will briefly review the Title I law and focus major attention on the role opened up to parents and citizens through new mandates for parent advisory councils (PAC).

Without the attention of local citizens and the involvement of parents, it is doubtful that compensatory education programs will go very far to provide equal educational opportunity for all children. In the early years of the program, local school districts had few guidelines on how to spend the money and much of it was misused. While subsequently the law and guidelines for implementation have been tightened and expanded to give more precise direction to school districts, they have been largely ignored and violated. Federal enforcement has developed slowly and touches a small portion of the schools receiving Title I money. But parents, interested citizens and community organizations across the country have begun to monitor the use of funds, to establish parent advisory councils, to file complaints, to initiate lawsuits and to find that their activity can make a difference.

How the program works

The 1974 amendments extend the authorization for Title I through June 30, 1978. Of the 16,000 school districts in the nation, approximately 12,000 received a portion of the total $2 billion appropriated for Title I in fiscal year 1975-76. On March 11, 1975, the commissioner of education issued the proposed regulation for Title I as amended in 1974. However, more than one year after the proposed regulation was issued and two years since the enactment of the education amendments affecting Title I, no final regulation has been issued. School districts are still required to implement the revised law.

Funds distribution

Title I funds are distributed to state education agencies and then to local school districts whose applications have been approved. The amount of money allocated to each state is determined by the number of children age 5-17 from families below the poverty level and two-thirds of the children from families above the poverty level through receipt of A.F.D.C. payments, children in institutions for neglected or delinquent children and those supported in foster homes with public funds. A school district's application must indicate attendance areas within the district that are eligible to receive funds.

If funding is insufficient for all eligible school attendance areas, a school district must select target areas in which the incidence of poverty is highest. Once the attendance and target areas are determined, educational deprivation, not economic deprivation, becomes the basis for determining which students may participate in Title I programs.

The Title I law and the current regulation do not specify the programs and projects to be funded under Title I.

Parent advisory councils

One of the most important areas of the new Title I law is the expanded provision for parental involvement in Title I programs. Now, each school that has a Title I program must have a PAC in addition to the district-wide PAC. The history of Title I has demonstrated that involvement of parents can make the critical difference between success and failure of the program.

Role of the PAC: Parent advisory councils have been given responsibility for advising the school district in the planning, operation and evaluation of the Title I program. The law guarantees the PAC's access to information necessary for carrying out these responsibilities. Local school district officials are required to meet with PACs to explain the program and to permit PAC participation in assessing needs, selecting priorities and target schools, developing the program design and evaluating program effectiveness.

Selection of PAC Membership: A majority of the members of each PAC must be parents of children *served in* Title I programs. Remember that all children counted in the formula may not be receiving Title I services. Membership for an individual school's PAC is selected by parents in each target school attendance area. The particular selection process is left to the discretion of school district officials. The Buckley Amendment protecting the privacy of students' records has made the identification of Title I parents and the PAC selection process more difficult. However, there are many ways to handle this. For a discussion, see "New Legal Requirements for Parent Involvement in Title I Projects," available free from the Lawyers' Committee.

What you can do

Many people feel that involvement of citizens in Title I programs is the key to their success. Therefore, monitoring the implementation of the PAC requirements is an important citizen task and one that is not limited to PAC members. Some of the points a monitoring group should check:

- ☐ Is there a district-wide PAC and a PAC in each Title I assisted school?
- ☐ Was the selection of PAC membership carried out properly?
- ☐ Are the majority of each PAC's members parents of children receiving Title I services?
- ☐ What information is made available to PACs?
- ☐ Are PACs involved in program planning, development, operation and evaluation?
- ☐ Do PACs have any access to Title I funds for carrying out their responsibilities? This is a permissible expenditure.
- ☐ Were PAC comments on the local school district's Title I proposal sent to the SEA with the program application?

Individual citizens who are not PAC members may want to give assistance to the PAC on budgeting, planning and evaluation activities.

Privacy & the right to records

There is a new law on the books that gives parents of all students under 18, and students over 18, the right to see, correct and control access to student records. The Family Educational Rights and Privacy Act, popularly called the Buckley amendment, was signed into law on November 19, 1974. All education agencies and institutions that get federal financial aid must follow the procedures prescribed by this law. Since almost all public school districts (elementary and secondary schools) and public and private colleges and universities do receive federal funds under one or another of the many federal aid programs, almost all fall within the coverage of the new requirements.

What the law requires

The law says that schools must notify parents and students over 18 of their rights under the Buckley amendment. Notification must include a description of how access to records may be obtained and the process for removal of false and misleading information. Once a student reaches 18 or enters a postsecondary education institution, the rights previously accorded to the parents are transferred to the student. There are some exceptions. A teacher's or counselor's personal notes taken for his/her own use, records of security police, and personnel records of school employees are exempt from access. Students, even over 18, can be denied access to their own psychiatric or treatment records, confidential letters of recommendation written prior to January 1, 1975, and parents' financial records.

Requests to see the student records must be granted within 45 days. The school must provide a list of all the records maintained on the student. Schools also have a legal obligation to establish hearing procedures and hold hearings within a "reasonable time" (the law does not define "reasonable") to resolve conflicts over the removal of alleged misleading or false information. If a hearing decision goes against the request of a parent, (s)he may insert a statement into the record which states why (s)he thinks a particular record is false, misleading or inappropriate.

The Buckley amendment also protects the student's records from being made available to third parties without the consent of the parents or student over 18. When a third party asks for information from a student's records, the school must tell the parent what records or information have been requested, why the request was made and who will receive the records as part of the request for permission to release of the records. This procedure must be followed each time a request for information is made and the school must keep a list of everyone who has made a request and received information in the student's records. School officials in the same district or educational institution with a legitimate educational interest, a school district to which a child is tranferring, enforcement agencies and research organizations helping a school, school financial aid officials and those with court orders are not considered third parties and their requests for student records do not require the clearance procedure. However, in the case of a student transfer, parents must be allowed to see and challenge the record's content before it is transfered to another school district.

Many schools publish student directories. Under the Buckley amendment, schools must now send parents a list of the information that will be published in the directory. The law defines directory information as name, address, telephone number, date and place of birth, major field of study, participation in officially recognized activities and sports, weight and height of members of athletic teams, dates of attendance, degrees, awards and the most recent previous educational agency or institution attended by the student. If parents or students over 18 do not want the information published, they must take the initiative and ask the school to omit the student's name from the directory.

Implementation

The Buckley amendment became law on November 19, 1974 and proposed regulations were published on January 6, 1975. Complete final regulations have not been published. This delay has caused considerable confusion in some school districts, colleges and universities. The new law raises many questions, some of which the final regulation should clarify. Still, in the absence of a final regulation, schools are required to implement the law now and cannot wait for specific guidelines from the federal government. Some state legislatures and state education agencies have taken the initiative and are trying to help local education institutions by passing statewide laws or policies to implement the Buckley amendment. The development of sample notification forms and technical assistance in resolving problem areas have been particularly useful.

Why the Buckley amendment is so important

In the past parents and students have not always been allowed to see the information contained in student records or even been informed about what kind of information is in the records, let alone given the opportunity to challenge their veracity or exert any control over their availability to individuals outside the school. Correcting this situation is important, but the new law also plays a critical role in the movement toward the establishment of more carefully defined procedures for student discipline and student rights. In recent years, more and more schools have established both specific policies for student discipline, and hearing procedures for resolving disputes and administering disciplinary actions. As schools begin to implement and rely more heavily on hearing mechanisms the use of student records for documentation of school's charges or defenses of particular actions increases. The Buckley amendment helps to assure that student records are accurate and open to parents and students. It puts school officials on notice to refrain from any careless or inappropriate notation regarding the student. It also makes parents responsible for

exercising the right and responsibility to know what is in their children's records and what they mean.

Special problems for title I PACs

The 1974 education amendments require all schools providing Title I services to educationally deprived children to have parent advisory councils (PACs) with the majority membership parents of children being served by Title I. Parents in Title I attendance areas select PAC members. A list of eligible PAC members that identifies parents of Title I students would automatically identify a child's performance. Under the Buckley amendment, such a list cannot be made public or given to persons other than school officials without written consent of each child's parent. School districts have no guidelines to follow in this matter and must proceed carefully since they are required to set up PAC's now.

There are ways to recruit PAC members without violating the Buckley amendment. One way, for instance, is to distribute to Title I parents consent forms requesting permission to list the parents' names as eligible PAC members. School districts or PACs having problems in complying with seemingly conflicting demands of Title I and the Buckley amendment are urged to seek technical assistance or advice from the appropriate federal agency or any of the organizations listed under *Resources*.

What you can do

☐ Ask for a copy of the written procedure for obtaining access to and removing false or misleading information from student records.

☐ Ask your school officials how notice of the written procedure was given.

☐ Find out what state laws and guidelines have been issued that address implementation of the law.

☐ To test the adequacy of compliance procedures by schools in your community, try out the procedure. A parent whose child is in a coverer school can ask to see the child's records. How long did it take to grant the request? Were school officials cooperative? Was a list of what the records included provided? What was in the records? Did they contain any wrong or misleading information? If so, was it removed upon request? If such a request was denied, were adequate hearing procedures implemented? Was an advocate allowed to assist or speak for the parent? Was the hearing carried out properly and in accordance with established written procedures?

If a school fails any of these tests and the matter is not satisfactorily resolved, write a complaint to Family Education Rights and Privacy, U.S. Department of Health, Education, and Welfare, 330 Independence Avenue, S.W., Washington, D.C. 20201. This office is responsible for enforcing the Buckley amendment. Also send a copy of the complaint to one of the parent or student advocacy groups listed under *Resources*.

Racism and sexism in text materials

Text materials are much more than just the vehicles for teaching children to read, write and do arithmetic. The written and spoken word and pictures have tremendous control over how people think, feel and behave. They interpret and pass on our social, political and cultural environment.

These instruments of instruction have been like the society that produces them, often loaded with bias, prejudice, discrimination and misinformation. Since the early 60's the law has gone far in its attempt to bring about equal opportunity in education, the American gateway to economic opportunity and prosperity. Still many text materials continue to pass on stereotypes, prejudiced viewpoints and untruths. In many ways the subtlety of racism and sexism in text materials today may be more serious than the obvious bias of the past because it often goes unrecognized.

Antidiscrimination provisions of federal education legislation have eliminated many aspects of racism and sexism in schools, but neither Title VI of the Elementary and Secondary Education Act nor Title IX of the Higher Education Amendments of 1972 specifically addresses text materials in either the law or regulations. The debate over the Title IX regulation in the early 1970s revealed a great reluctance by the majority of Congress to create legislation that would hit the Constitution's first amendment guarantee to freedom of speech head on and tie up the courts with endless challenges to any legislative mandate for standards by which to evaluate text materials for racism and sexism.

To overlook the effect of text materials on the development of values is foolish. The same institutions that have helped to perpetuate racist and sexist stereotypes—including the education establishment—can do a lot to correct the problem. Yet, without vigilance and action on the part of parents and concerned citizens, it is unlikely that change will take place with any speed, if at all.

What you can do

There are two major approaches to dealing with the problem of racism and sexism in text materials. One is to learn (and teach students and educators) how to identify, discuss and compensate for racism and sexism in the materials that are currently available and being used. The other is to influence the text book selection process. Both approaches should be used as part of a continuing effort to eliminate racism and sexism from our cultural environment.

Guidelines for Identifying Racist and Sexist Materials:

☐ Check illustrations for stereotypes, tokenism and simplistic or unfavorable portrayals of lifestyles of minorities and women and for how often they appear.

☐ Check the storyline for subtle forms of bias in power and role relationships, comparative standards for success, viewpoint and the relative importance of sex to characterizations in literature.

☐ Analyze the effect of a book or story on a child's self image and aspirations.

☐ Try to evaluate the author's or illustrator's qualifications for handling particular themes or subject matter and his/her point of view.

☐ Check the copyright date for clues to bias.

☐ Look for what is omitted as well as what is included and handled improperly, especially in history texts.

☐ Look for loaded words and racist and sexist language.

☐ Note the particular selection and omissions of heroes and heroines.

(Guidelines adapted from Vol. 5, No. 3, 1974 of Interracial Books for Children)

Once racism or sexism has been identified in instructional materials, teachers and students should learn to discuss it openly in the classroom. Parents and students should discuss the problem at home, and teachers and administrators should discuss it in school meetings and workshops. Avoidance of these critical discussions will let racism and sexism continue to be a dominating influence in the thinking and behavior of children who will then perpetuate a racist sexist society.

Selection of Text Materials: Statistics compiled by the Educational Products Information Exchange Institute reveal that 75 percent of a student's learning time is spent with text materials. Yet few text materials are tested for effectiveness prior to marketing and fewer still are closely examined for racist and sexist content or omissions. In 1971, 150,000,000 textbooks were sold for over 1/2 billion dollars. This was about $10 per child. Another $10 per child was spent on instructional materials other than textbooks. Textbooks and instructional materials are big business in the United States.

The way that text materials find their way into the hands of children differs in each state. About half of the states have commissions, while the other half are "open adoption" states which leave the choice and purchase of materials up to each school district. Before you can have an impact on the textbook and instructional materials selection process, you will need to find out which process is used in your state. These are some of the questions you will want to ask of those who are responsible:

☐ Is there a state textbook commission or are choices made by the local district or individuals schools?

☐ Who is on the state commission (or local district committee)?

☐ How are members selected?

☐ How do they go about reviewing available materials?

☐ How many choices are available on the approved list for a given subject and grade level?

☐ How do local administrators and teachers make selections from approved lists?

☐ Can a local school purchase books that are not on any adoption list? If so, from what funding source?

☐ Do parents and students participate in the process? How?

☐ How do publishers present their products to the commissions and local educators?

☐ Does the state regulate contact between publishers' representatives and state and local school officials?
☐ Do small publishers have an adequate opportunity to compete with the big companies?
☐ How are new textbooks and educational materials selected?

Most publishing companies have local representatives who handle sales in a particular region. You will want to talk to these representatives in addition to the school officials. These are some questions you should ask of the publisher representatives:
☐ How do publishers decide what books to publish?
☐ How do they choose authors and consultants?
☐ Do they have their own research and development programs?
☐ How do they go about selling their products to state commissions and school districts?

Next, you need to find out how the materials are evaluated. Is there a formal evaluation procedure or list of criteria at the state, school district and individual school level? What is it? Who is involved in the process? How were they selected? Is the evaluation criteria written and formalized? Then you will want to ask questions of people at various parts of the educational process, including students, parents, teachers, administrators, textbook commission members and publisher representatives:
☐ Are materials consistent with the school system's objectives?
☐ Do materials attract student interest?
☐ Have materials been pretested with students to ascertain their response to them?
☐ Are materials equitable, representative and nondiscriminatory in treatment of racial, ethnic and socioeconomic groups and the sexes? How was this evaluated?

Once you know who all the decision makers are, how they are selected and how they make their decisions you can begin to have an impact on the process either by direct participation in the process or by educating those who are involved through publications, the media or workshops.

(Questions were adapted from an unpublished paper by John Egerton for a Southern Regional Conference Seminar held October 26-27, 1973.)

Resources

Materials and organizations that can provide technical assistance and/or information are listed below. Additional resources can be found in *An HR Source Guide*, LWVUS, Pub. No. 390, 16 pp., 1975, 75c. Publications are available free unless the price is listed.

General

Children's Defense Fund, 1520 New Hampshire Ave., N.W., Washington, D.C. 20036. *Children On File*. To be published in May 1976, price to be designated. * *Children Out of School in America*. 365 pp., October 1975, $4.00. * *How To Look At Your State's Plan For Educating Handicapped Children*. 21 pp., September 1975. * *School Suspensions – Are They Helping Children?* 225 pp., September 1975, $4.00. * *Your School Records: Questions for Parents and Students*. 11 pp., March 1976. *Your Rights Under the Education for All Handicapped Children Act*, March, 1976.

National Committee for Citizens in Education, Suite 410, Wilde Lake Village Green, Columbia, Maryland 21044.

National Education Association, Publications Department, The Academic Building, Saw Mill Road, West Haven, Connecticut 06516.

Southeastern Public Education Project of the American Friends Service Committee, 52 Fairlie Street, N.W., Atlanta, Georgia 30318.

Office for Civil Rights, U.S. Department of Health, Education, and Welfare, 330 Independence Ave., S.W., Washington, D.C. 20201.

Pregnant Girls and Teenage Mothers

The National Alliance Concerned with School-Age Parents, Suite 516E, 7315 Wisconsin Ayenue, Washington, D.C., 20014. For May 1975 special issue on school-age parents cooperatively presented by the National Alliance Concerned with School-Age Parents and the American School Health Association, send $2.50 to the American School Health Association, P.O. Box 708, Kent, Ohio 44240.

Federal Interagency Task Force on Comprehensive Programs for School-Age Parents, U.S. Office of Education, Room 2089-G, 400 Maryland Avenue, S.W., Washington, D.C. 20202.

Consortium on Early Childbearing and Child Rearing, 1145 19th Street, N.W., Washington, D.C.

"Discrimination Persists Against Pregnant Students Remaining in School," Linda Ambrose, *Family Planning/Population Reporter*, February, 1975, pp. 10-13. For reprints write to 1666 K Street, N.W., Washington, D.C. 20006.

"Kids with Kids," Leslie Aldridge Westoff, *The New York Times Magazine*, February 22, 1976.

Discipline

"A Guide to Community Leadership on the Discipline/Suspension Issue," *Your Schools*, January-February 1976, published by the South Carolina Community Relations Program of the American Friends Service Committee, 401 Columbia Building, Columbia, S.C. 29201, 4 pp.

"Alternatives to Suspensions," *Your Schools*, May 1975, (See above for address), 31 pp., $1.00.

Suspensions and Due Process. An Analysis of Recent Supreme Court Decisions on Student Rights, Robert F. Kennedy Memorial, 1035 30th Street, N.W., Washington, D.C. 20007, 20 pp., February 1975, $.51.

The Student Pushout. Victim of Continued Resistance to Desegregation, Southern Regional Council, (52 Fairlie Street, N.W., Atlanta, Georgia 30303) and Robert F. Kennedy Memorial, 1973, 83 pp., 1973, $1.00.

The Rights of Students, American Civil Liberties Union, order from Avon Books, Mail Order Department, 250 West 55th Street, New York, NY 10019, $.95.

"Students Rights and School Discipline Bibliography," Project for the Fair Administration of Student Discipline, 1046 School of Education, The University of Michigan, Ann Arbor, Michigan 48104.

Children With Special Needs

Council for Exceptional Children, 1920 Association Drive, Reston, Virginia 22091.

National Association for Retarded Citizens, 2709 Avenue 'E' East, Arlington, Texas 76011; Government Affairs Office: 1522 K Street, N.W., Suite 516, Washington, D.C. 20005.

Title IX – Sex Discrimination

Title IX Regulation: Office of Public Affairs, Office for Civil Rights, Department of Health, Education and Welfare, 300 Independence Avenue, S.W., Washington, D.C. 20201.

McCune, Shirley and Matthews, Martha, *Complying with Title IX: Implementing Institutional Self-Evaluation*, Resource Center for Sex Roles in Education, National Foundation for the Improvement of Education, 1201 16th Street, N.W., Washington, D.C. 20036, 140 pp., $3.00.

The Project on the Status and Education of Women, Association of American Colleges, 1818 R Street, N.W., Washington, D.C. 20009. Bernice Sandler – Director.

Project on Equal Education Rights (PEER), 1029 Vermont Avenue, N.W., Suite 800, Washington, D.C. 20005. Holly Knox – Director.

Title I – Compensatory Education

Lawyers Committee for Civil Rights Under Law, 733 15th Street, N.W., Washington, D.C., 20005. *The Federal Education Project Newsletter*. * *New Legal Requirements for Parent Involvement In Title I Projects*, 4 pp., 1976. * *A Parent's Guide to Comparability*, 20 pp., 1974, 25c.

National Coalition of ESEA Title I Parents, 412 West 6th Street, Wilmington, Delaware 19801, William A. Anderson – Director.

Racism and Sexism in Text Materials

Council on Interracial Books for Children, Inc., 1841 Broadway, New York, NY 10023.

Researched and written by Barbara Burton, Marlene Provizer and Linda Brown, Staff Specialists, Human Resources Department.

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Order From League of Women Voters of the United States, 1730 M Street, N.W., Washington, D.C. 20036 Pub. No. 305, 75c